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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ALASKA**

NORDAQ ENERGY, INC., a Delaware  
corporation with its principal place of  
business in Alaska,

Plaintiff,

v.

PAUL L. DEVINE, a citizen of the United  
Kingdom; ANDREW ALLISTER KNOTT, a  
citizen of the United Kingdom; LOTHIAN  
INVESTMENT PARTNERS LIMITED, a  
corporation organized under the laws of  
Scotland, United Kingdom, and with its  
principal place of business in the United  
Kingdom; and GOLDEN EAGLE  
PETROLEUM LIMITED, a corporation  
organized under the laws of Scotland, United  
Kingdom, and with its principal place of  
business in the United Kingdom,

Defendants.

Case No. 3:16-cv-0267 JWS

**JOINT INITIAL CASE STATUS REPORT AND REPORT OF PARTIES'**  
**SCHEDULING AND PLANNING MEETING**

Joint Initial Case Status Report

*NordAq Energy v. Paul L. Devine, et. al.*, Case No. 3:16-cv-0267 JWS

August 14, 2017

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This Court's July 24, 2017, Order [DK 88] directed counsel for Plaintiff, NordAq Energy, Inc. ("NordAq"), and counsel for Defendant, Paul L. Devine ("Devine"), to meet for purposes of jointly completing a scheduling and planning report in this case. Consistent with that Order, on Thursday, August 3, 2017, counsel for NordAq, Kevin G. Clarkson of Brena, Bell & Clarkson, P.C., and counsel for Devine, Daniel T. Quinn of Richmond & Quinn, met in person at the offices of Brena, Bell & Clarkson, in Anchorage, Alaska, and counsel for Devine, Anthony K. Bruster of Bruster PLLC, participated by telephone. During this Scheduling and Planning Meeting, counsel discussed the fact that (1) this case involves additional parties other than NordAq and Devine, namely Defendants, Andrew Allister Knott, Lothian Investment Partners Limited, and Golden Eagle Petroleum Limited (collectively "the Knott Defendants"), who are at this time represented by Michael Jungreis of Reeves Amodio LLC; and (2) the Knott Defendants have filed a motion to dismiss or stay NordAq's claims against them under the doctrine of *forum non conveniens* and/or the *Colorado River* abstention doctrine [DK 31], and this motion is still pending and awaiting the Knott Defendants' reply memorandum [see DK 90]. Accordingly, because of the Knott Defendants' presence in this case and the Knott Defendants' pending motion to dismiss or stay, counsel for NordAq and Devine agreed as follows regarding scheduling and planning at this time:

1. It would not be efficient or appropriate for counsel for NordAq and Devine to prepare a Scheduling and Planning Conference Report by themselves without input from counsel for the Knott Defendants, or for this Court to enter a Scheduling and Planning Order at this time based only upon the input of counsel for NordAq and Devine and prior to a determination as to whether the Knott Defendants will remain in this case.

2. A jointly prepared and submitted Scheduling and Planning Conference Report [DK 88] should be filed by all parties in this case, following the Court's ruling on the Knott

Defendants' pending motion to dismiss or stay at DK 31 and following a subsequent planning and scheduling meeting of counsel for all parties that remain in the case at that time. If the Knott Defendants remain in this case following the Court's ruling on the motion at DK 31, then they should participate through their counsel in the subsequent planning and scheduling meeting and in the preparation of a joint Scheduling and Planning Conference Report. If the Knott Defendants do not remain in this case following the Court's ruling on the motion at DK 31 or if they cease to be parties to this case for any other reason, counsel for NordAq and Devine should conduct the subsequent scheduling and planning meeting and then report to the Court in a prompt manner.

3. NordAq will reply to Devine's counterclaim [DK 68] on or before August 18, 2017.

4. Devine has filed a Motion for Leave to File Third-Party Complaint. [DK 72] Both NordAq and the Knott Defendants have the right to respond to this motion. Counsel for NordAq and Devine will consult with counsel for the Knott Defendants in order to establish an agreed-upon briefing schedule for the filing of oppositions and Devine's subsequent reply, and will advise the Court of the agreed-upon briefing schedule on or before August 18, 2017.

DATED this 14<sup>th</sup> day of August, 2017.

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